In the High Court of Punjab & Haryana at Chandigarh.

Civil Revision No.4833 of 2006.
Date of decision : 14.9.2006.

Anjali Devi .... Petitioner.

vs

Surjit Singh ... Respondent.

Coram Hon'ble Ms. Justice Kiran Anand Lall.

Present: Mr.D.K.Bhatti,Advocate,for the petitioner.

Kiran Anand Lall, J.

While passing the impugned order in an ejectment petition, the Rent Controller has made provisional assessment of rent and called upon the petitioner (tenant) to tender the same. The grouse of petitioner is that the respondent-landlord has claimed rent even for the months of September 2004 to March 2005 i.e. the period for which rent had already been paid to him, and on the basis of his claim the Rent Controller has wrongly directed the petitioner to tender rent, even for the months of September 2004 to March 2005.

It would, of course, be a disputed question of fact as to whether rent for the period, above referred to, has already been paid by the petitioner or it is still due from her, and the Rent Controller could not have decided this fact at the time of passing the impugned order, nor he was infact required to do so, under the law. That being so, the question as to whether the impugned order calling upon the petitioner to tender rent for the period from September 2004 to March 2005 is correct or not, cannot be gone into at this stage.

No merit.

Dismissed.

14.9.2006. (Kiran Anand Lall)
vs. Judge.